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OTTO TRUCKING LLC  
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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 WAYMO LLC,  
16 Plaintiff,  
17 v.  
18 UBER TECHNOLOGIES, INC., *et al.*,  
19 Defendants.

Case No.: 3:17-cv-00939-WHA

**OTTO TRUCKING LLC'S NOTICE TO  
JOIN AND ADOPT DEFENDANTS UBER  
TECHNOLOGIES, INC'S AND  
OTTOMOTTO LLC'S SUR-REPLY BRIEF  
IN OPPOSITION TO PLAINTIFF  
WAYMO LLC'S MOTION TO COMPEL  
PRODUCTION OF DUE DILIGENCE  
REPORT**

Date: May 25, 2017  
Time: 10:00 a.m.  
Ctrm: F, 15th Floor  
Judge: The Honorable Jacqueline Scott Corley

Trial Date: October 2, 2017

1 TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT Defendant Otto Trucking LLC (“Otto Trucking”) hereby  
3 joins and adopts Defendants Uber Technologies, Inc.’s (“Uber”) and Ottomotto LLC’s (“Ottomotto”)  
4 Sur-Reply in Opposition to Plaintiff Waymo LLC’s (“Waymo”) Motion to Compel Production of  
5 Due Diligence Report. The hearing on the Motion is set for May 25, 2017 at 10:00 a.m. before the  
6 Honorable Jacqueline Scott Corley. In support, Otto Trucking states as follows:

- 7 1. Waymo filed a Complaint on February 23, 2017 (Dkt. No. 1) and an Amended Complaint  
8 on March 10, 2017 (Dkt. No. 23) asserting seven causes of action equally against all  
9 Defendants, alleging trade secret misappropriation, patent infringement, and unfair  
10 competition.
- 11 2. On May 1, 2017, Waymo filed a Motion to Compel the Production of Withheld  
12 Documents (Dkt No. 321) seeking the production of documents and information  
13 pertaining to all of Defendants Uber, Ottomotto, and Otto Trucking.
- 14 3. On May 8, 2017, Co-Defendants Uber and Ottomotto filed a Brief in Opposition to  
15 Waymo’s Motion to Compel. Defendant Otto Trucking joined and adopted this brief.
- 16 4. On May 17, 2017, Magistrate Judge Corley issued an order permitting Defendants Uber  
17 and Ottomotto to file a four-page sur-reply in support of their opposition to Waymo’s  
18 motion to compel. Co-Defendants Uber and Ottomotto filed their sur-reply on May 19,  
19 2017.
- 20 5. Otto Trucking joins and adopts, as if set out verbatim herein, the arguments, authorities,  
21 contentions, exhibits, attachments, and prayers of Co-Defendants Uber and Ottomotto set  
22 forth in Co-Defendants’ Sur-Reply in Opposition to Waymo’s Motion to Compel  
23 Production of Due Diligence Report, filed with this Court on May 19, 2017, for the reason  
24 that said motion is equally applicable to this Defendant in the above captioned matter.
- 25 6. Otto Trucking joins and adopts Co-Defendants’ Sur-Reply Brief in order to best serve  
26 justice and avoid unnecessary or duplicative effort, time, or expense to the parties  
27 involved.

1 WHEREFORE, Defendant Otto Trucking LLC hereby joins and adopts Co-Defendants' Sur-  
2 Reply in Opposition to Plaintiff's Motion to Compel Production of Due Diligence Report.

3  
4 Dated: May 19, 2017

Respectfully submitted,

5 By: /s/ Neel Chatterjee

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22 Attorneys for Defendant  
23 OTTO TRUCKING LLC  
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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **May 19, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Executed **May 19, 2017**.

/s/ Neel Chatterjee  
Neel Chatterjee